

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on ***a separate sheet*** within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it fails to be on a separate sheet of paper as required. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-27 are replete with errors under 35 U.S.C. 112, second paragraph too numerous to mention specifically; however, examples of these errors are as follows:

Throughout the claims the applicant employs the terms their, they and them (i.e., claim 1, lines 6, 8, 10 and 12). These terms are inherently vague in that several features/limitations precede the terms and it may be unclear as to which of these features/limitations is being referred. The lack of clarity renders the claimed subject matter indefinite.

In claim 1, line 12, "the drive" lacks proper antecedent basis.

In claim 1, lines 9-10, applicant claims "a first relative angle...a second relative angle"; however, it is unclear as to what the "angles" are relative too, and therein rendering the claimed subject matter indefinite.

In claim 21, line 8, applicant claims "...with the harrow...". There is a mention of two different "harrows" (line 1) and it is unclear as to exactly how many "harrow(s) are attempting to be claimed and in this instance as to which is being referred. The lack of clarity renders the claimed subject matter indefinite.

As mentioned above, these are **examples** of errors under 35 U.S.C. 112, second paragraph and all claims should be revisited and revised as necessary.

Note: In light of the above rejection under 35 U.S.C. 112, second paragraph, the following art rejection is applied to the claims as best understood:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Barry et al.'996. Barry discloses a frame (figures 1-11) capable of supporting harrow type tools, the frame comprising a hitch 14, a center unit (generally 13), right 19 and left 18 support arms being elongated (as seen in figures 6a-6d) and having respective secured ends (at 47) at which the arms engage the center unit (via 20 and 21) and respective fulcrum ends (at 169,168). Also, Barry discloses the frame having a drive system (16,62,63) capable of adjusting the angle of the arms relative to one another (as seen in figures 6a-6d). Further, because the motive means for the drive system are respective hydraulic rams (i.e., ram 16), the act of stopping the ram in any position as shown in figures 6a-6d would inherently "lock" the arms in that relative position without relying on outside means.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT E. PEZZUTO whose telephone number is (571)272-6996. The examiner can normally be reached on 7:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571) 272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Primary Examiner, Art Unit 3671